

Minutes of the
State board of Acupuncture
November 12, 1999

The State Board of Acupuncture meeting was called to order by Emi Miller, Chair at 9:15 a.m., Friday, November 12, 1999 at the Bureau of Occupational Licenses, Owyhee Plaza, 1109 Main Street, Suite 220, Boise, Idaho.

Roll Call: Emi Miller, Chair
 Rand Peebles, Board Member
 Therese Hahn, Board Member
 Maggie Blair, Board Member
 Jack Long, Board Member
 Representative Bill Sali

Bureau Staff: Thomas E. Limbaugh, Bureau Chief
 Budd Hetrick, Jr., Deputy Bureau Chief
 Roger Hales, Administrative Attorney
 John Kersey, Supervising Investigator
 Dee Ann Randall, Administrative Secretary

Minutes

Moved by Rand Peebles, seconded by Maggie Blair and carried that the minutes of the October 1, 1999 board meeting be approved as amended.

General Comments

General comments and concerns were heard from the general public in attendance at the meeting regarding licensure/certification of oriental bodywork therapists. The general consensus of those attending was that oriental bodywork therapists should not be included under the acupuncture law, as they do not practice acupuncture. This is a branch of oriental medicine, not acupuncture.

The Board requested that Maggie Blair research and find out if there are any states that license acupuncturists that include oriental bodywork. The Board stated that they will take the time necessary for adequate research before changing their law or promulgating new rules concerning this issue. The Board noted they will not be drafting temporary rules without lawful notification to the public.

Financial Issues

Mr. Limbaugh discussed with the Board the fact that the Memorandum signed by the Board August 1, 1999, expired before it was signed. Currently there is no contract for services between the Board and the Bureau. The Attorney General's office prepares the contracts for the Bureau and boards contracting with them

The Board reviewed the contract presented to them. Subsequent to the recommended revisions, it was moved by Rand Peebles, seconded by Tess Hahn and carried unanimously that the Board accept the contract for services between the Board and Bureau and direct the Chair of the Board to sign the contract on behalf of the Board.

The Board still wants to opt out of the state retirement plan (PERSI). Mr. Hetrick will again check to see if there is any way the Board can be set up on the state EIS system and still be reimbursed for actual expenses incurred for Board business.

Moved by Maggie Blair, seconded by Jack Long, the board recesses for lunch, the time being 12:10 p.m.

Meeting reconvened at 1:25 p.m.

Continuous Appropriation

Mr. Limbaugh informed the Board that no budget has been presented to Division of Financial Management for this year. The Board was advised that even with a continuous appropriation, a budget for the Board will probably have to be presented to JFAC for approval each year.

Executive Session

Moved by Maggie Blair, seconded by Tess Hahn and carried that the Board go into executive session at 2:45 p.m. to discuss with legal council possible litigation.

Moved by Jack Long, seconded by Maggie Blair the Board comes out of executive session at 3:30 p.m.

Letter to Interested Groups, Individuals Regarding Acupuncture Law

The Board reviewed a draft letter prepared by Roger Hales, Administrative Attorney, which will be sent to interested chiropractors, dentists and other interested groups regarding the acupuncture law and licensure/certification. The Board approved Mr. Hales letter and directed the Bureau to begin using the letter.

Moved by Tess Hahn, seconded by Maggie Blair and carried that the Board authorize the Bureau to send a letter to Harold Klassen, Naturopath applying for licensure/certification. Mr. Klassen is to be advised to review the laws and rules for licensure/certification, specifically 54-4707, Idaho Code and Rule 226.02. It will be necessary for Mr. Klassen to complete the application in full and have original official documents regarding training and education submitted to the Bureau office for the Board's review.

Representative Bill Sali

Representative Bill Sali discussed with the Board a proposal to act in the capacity of consultant for the Board. He has researched the issue of their being a possible conflict of interest in doing so along with his current position as a State Representative. It was his opinion that there does not appear to be a conflict. Mr. Sali stated that at the present time it does not appear that the Board can financially afford to hire him as their consultant.

The Board agreed to send Mr. Sali a letter of thanks for all the help and support he has given them during and after the passage of the acupuncture law. Rand Peebles will prepare a draft letter for review by the Board. The Board would like to pay Mr. Sali a fee for his services rendered to this time. Bureau to check with Roger Hales to see if this is possible.

Complaints

John Kersey distributed information regarding the complaint process to the board members. He also discussed the need for pro-reviewers to review complaints for professional opinions. For the present time, Tess Hahn will act as a pro-reviewer on complaints and recuse herself from any action taken on the files she reviews. At the next board meeting, the Board will try and provide Mr. Kersey with other names for possible pro-reviewers.

Executive Session

Moved by Tess Hahn, seconded by Maggie Blair and carried that the Board go into executive session to review applications. The time being 4:10 p.m.

Moved by Rand Peebles, seconded by Jack Long and carried the Board comes out of executive session at 5:10 p.m.

Moved by Rand Peebles, seconded by Tess Hahn and carried that of the 15 applications reviewed, 14 are approved for licensure/certification.

Upon approval of the Board, the following licenses were issued:

Licenses Issued

Mary M. Geron	ACU-12
Rhea Maloney	ACU-13
David P. McElwain	ACU-14
Jennifer Morrissey	ACU-15
Charles W. Raymond	ACU-16
Berta C. Kuhnel	ACU-17
Tifney Stewart	ACU-18
Arthur S. Goldblum	ACU-19
Caylin Huttar	ACU-20
Bradley M. Leach	ACU-21
Robert D. Rohlmeier	ACU-22
Robert Cozzie	ACU-23
Barbara D. Boss	ACU-24

Certificates Issued

Laurence V. Hicks	ACC-25
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Issuance of State Warrants

Moved by Rand Peebles, seconded by Maggie Blair and carried that the Board authorize Emi Miller, Chair, to execute the appropriate form that will allow for the issuance of state warrants from the Controllers Office for paying expenses incurred thus far by the Bureau.

Meeting Date

The next board meeting date was tentatively set for January 14, 2000.

Moved by Jack Long, seconded by Tess Hahn and carried that the meeting adjourn at 5:20 p.m.

Approved & Signed 1/21/2000